

REMARKS

Claims 1 to 11 and 13 to 21 are in the application of which claims 14 to 21 are allowed.

Claim 3 indicated as being allowable if placed in independent form has been so amended. Accordingly claim 3 and claims 4 to 6 dependent thereon should be allowed.

Claim 1 has been amended to include the substance of claim 12 which was rejected as being anticipated by Feder '400.

As now specified in the penultimate clause of amended claim 1, applicant's holder assembly includes a base with instrument supports at the lower ends of the plurality of first tubes for supporting medical instruments placed in the first passages while allowing a fluid to circulate through those passages. Those instrument supports are now specified as being narrow bridges at the lower ends of the first tubes which extend across and partially occlude the open lower ends of the first passages. These instrument supports are depicted at 88 in FIG. 7 and are described on page 12 of the specification.

In the rejection of original claim 12, the Examiner contends in section 4 that "a bridge is defined by adjustable member 33." It is true that that member 33 does function as a support for a tool placed in Feder's tube 23. However that member does not constitute a narrow bridge nor does it extend across the open lower end of the tubular part 23 as required by claim 1. In passing, we note that there is no suggestion whatsoever in Feder that fluid is supposed to circulate through that holding device. Indeed, the screw members 33 which support the tools in the tubes are spaced well above the plate 21 that forms

the bottom wall of that device. Moreover, that bottom plate and the completely closed cover 34 would prevent a fluid from circulating between the tubular parts 23.

Accordingly for the foregoing reasons claim 1 should be allowed.

Claims 2 and 7 to 11, being dependent upon claim 1, should also be allowed for the same reasons. Claim 8 should be allowed also in specifying a plurality of keys which extend below the peripheral web and are arranged to key into a surface underlying and supporting the base. These keys are illustrated at 96 in FIGS. 6 and 7.

In rejecting claim 8, the Examiner equates the brackets 25 in Feder with applicant's keys 96. However, those brackets 25 extend up, not down, relative to the side walls and bottom wall of Feder's device and could not possibly key into a surface underlying and supporting that device.

Claim 13 also patentably distinguishes from the Feder reference in it requires that the instrument supports comprise a base bottom wall supported by the first web so that the bottom wall is spaced below the lower ends of the first passages. This refers to the module base embodiment depicted in applicant's Figs. 3A and 3B wherein a bottom wall 36 is supported by a web 28a below the lower ends of the passages 34 in the base.

In Feder, the plate 21 constitutes the bottom wall of that device but it does not constitute an instrument support. Rather, as the Examiner pointed out in the rejection of claim 12, it is the adjustable screws 33 that support the tools in Feder's device.

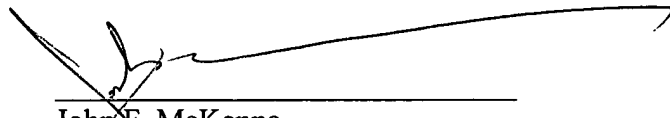
Both applicant and Feder support articles in tubes, but they do it in different ways. Feder uses a screw 33 having a lengthwise passage which is smaller than the tool cross-

section. This smaller passage restricts any possible flow of a fluid into the tube and could be further blocked by the lower end of the article in the tube. In contrast, applicant's instrument support is constituted either by a narrow bridge which extends across the full size lower end of the tube passage or by spacing the bottom wall of the base below the lower end of that passage.

Accordingly and foregoing reasons, the claims remaining in this application should be allowed.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'John F. McKenna', is written over a horizontal line. The signature is stylized with a long, sweeping horizontal stroke extending to the right.

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